

RULE 1.99 CHECKLIST

APPLICATION NUMBER:

10/630,897
1/11/07

FILING DATE OF SUBMISSION:

5/6/08

PUBLICATION DATE OF APPLICATION:

Submission filed within 2 mo. of pub. date or prior to the Notice of Allowance, whichever is earlier (or satisfactory explanation why it could not have been sent earlier along with fee under 37 CFR 1.17(i)?) YES

☐

NO

☒

Is the application identified?

YES

☒

NO

☐

Application still pending?

YES

☒

NO

☐

Is the Fee under 37 CFR 1.17(p) paid?

YES

☐

NO

☒

Is the submission limited to patent/publications?

YES

☐

NO

☒

Is there a list of the Patents/publications which include the publication dates?

YES

☒

NO

☐

Are copies (or at least the relevant passages) of the patents/publications included?

YES

☐

NO

☒

Is the submission limited to 10 patents/publications?

YES

☒

NO

☐

Are English translations provided if foreign?

YES

☐

NO

☐

Does the submission avoid providing any explanation of the patents/publications? (This would include markings or highlights on the patents/publications.)

YES

☒

NO

☐

Has service on the applicant been made as provided for under 37 CFR 1.248(b)?

YES

☐

NO

☒

If any of the above check boxes are checked in the negative, the submission is at least partially not in compliance with the requirements of 37 CFR 1.99 and needs to be at least partially discarded. Any part of the submission that is in compliance should be retained. Any marked up copies of patents/publications can be replaced by clean copies. If the submission is to be wholly or partially discarded, the cover letter or transmittal of the submission should be retained in the file with the notation, "The 3rd party submission has been (partially, if so) discarded", and should include the reason(s) why at least a portion of the submission has been discarded. There should be initials of the reviewer and a date reviewed included on the retained cover letter or transmittal sheet. If all boxes are checked affirmatively the submission is acceptable under 37 CFR 1.99 and should be forwarded to the examiner of record. No communication should be sent to the 3rd party making the submission. See MPEP 1134.01.

DISCARDED
FOR THE
DEFICIENCIES
OUTLINED ABOVE

STEVEN N. MEYERS
SPECIAL PROGRAM EXAMINER
TECHNOLOGY CENTER 3600



April 30, 2008

USPTO
P.O. BOX 1450
Alexandria, VA 22313-1450

SUBJECT: SUBMITTAL UNDER 37 CFR 1.99

In sending the documents attached to #5 of the submittal dated 4/25/08, I inadvertently forgot to attach the enclosed document. It was always intended to be a suite of documents making up the #5 in the submittal, or [REDACTED]

The document enclosed is [REDACTED]
The submission to be attached to the 4/25/08 submittal is the very last page, titled, [REDACTED]

Please attach this document to the 4/25/08 submittal.

Regards,

SAM GETTLE

DISCARDED
DUE TO
DEFICIENCIES
(SEE
ATTACHED)
SM

April 25, 2008

US Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

Subject: Third Party Submission Under 37 CFR 1.99

Please find enclosed publications that are relevant to US patent applications S/Ns 10/630,897; 10/834,165 and 11/042,318. The latter has recently issued as US Patent No. 7,343,843.

In compliance with 37 CFR 1.99(b), a check in the amount of \$310 is enclosed to cover fees. Fee determination was based upon 37 CFR 1.17(i) and (p).

In compliance with 37 CFR 1.99(b) Item (2), the following list of publications is provided. Per a conversation on April 23, 2008 with Mr. Mansen of the Office (telephone 571.272.6608) that was strictly limited to procedures, the enclosed depositions (written publications) have paper clips to indicate appropriate pages as a convenience to the USPTO. A redacted copy of a document sent to the Office of Bar Counsel dated February 11, 2008 is also provided, and is intended to serve as an index and "roadmap" to the appropriate admissions in the attached publications.